

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Jason Lee McLevis,

Civil 09-1061 JNE/FLN

Petitioner,

v.

O R D E R

Sheriff Joel L. Brott,

Respondent.

Based upon the Findings of Fact, Conclusions of Law, and Recommendation by United States Magistrate Judge Franklin L. Noel dated July 1, 2009, all the files and records, and no objections having been filed to said Report and Recommendation,

IT IS HEREBY ORDERED that:

1. Petitioner's application to proceed *in forma pauperis* [#2] is DENIED; and
2. This action is DISMISSED WITHOUT PREJUDICE.

DATED: _July 22, 2009.
at Minneapolis, Minnesota

s/ Joan N. Ericksen
JUDGE JOAN N. ERICKSEN
United States District Court